



06-24-02

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MP \$ #7

PATENT  
9D-EC-19310

IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicants: Sandell et al.

Group Art Unit:

Serial Number: 09/475,630

Filed: December 30, 1999

For: INTERNET BASED GOODS  
DELIVERY SYSTEM

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

Express Mail mailing label number: EV 130048781 US


Date of Mailing: June 21, 2002

I certify that documents listed below:

- Response to Notice To File Missing Parts Of Nonprovisional Application (2 pages, in duplicate)
- Copy of Notice To File Missing Parts Of Nonprovisional Application (2 pages)
- Copy of Declaration And Power Of Attorney of Randall Joseph Sandell, Frank Anthony Gigliotti, Mark Daniel Shirkness and Gregory Todd Ellington (1 page)
- A copy of the Associate Power Of Attorney, Change of Correspondence Address Form, Return Post Card and Stamped-Received Return Post Card which was filed with the USPTO on December 18, 2001. (4 pages)
- Copy of Status Letter Reply (1 page)
- Copy of Notice of Abandonment (1 page)
- Certificate Of Mailing By Express Mail (1 page)
- Return Post Card

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to the Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

Respectfully Submitted,

  
Thomas M. Fisher, Reg. No. 47,564  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
(314) 621-5070



IN THE UNITED STATES OFFICE OF PATENTS AND TRADEMARKS

Applicants: Sandell et al.

Group Art Unit:

Serial Number: 09/475,630

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**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 17, 2002 (Part 2 – Copy To Be Returned With Response is enclosed), enclosed is a copy of the fully executed Declaration and Power of Attorney of Randell Joseph Sandell, Frank Anthony Gigliotti, Mark Daniel Shirkness, and Gregory Todd Ellington.

Also, enclosed is a copy of the Associate Power Of Attorney, Change of Correspondence Address Form, Return Post Card and Stamped-Received Return Post Card which was filed with the USPTO on December 18, 2001.

In addition, Applicants filed a Status Request with the USPTO on December 18, 2001. On February 6, 2002, Applicants received a telephone call from Mr. Vaughn of the USPTO, TC Customer Service 2100 group, and learned that the above-referenced application was abandoned. Applicants additionally received a Status Letter Reply that indicated the application was abandoned April 10, 2000 for failure to respond to a Notice of Incomplete Application mailed February 8, 2000. Enclosed is a copy of the Status Letter Reply. Also enclosed is a copy of an

abandonment letter dated February 26, 2001.

Applicants requested a copy of the Notice of Incomplete Application dated February 8, 2000, but instead received a Notice File Missing Parts Of Nonprovisional Application dated May 17, 2002.

Applicants' file does not contain a Notice To File Missing Parts Of Nonprovisional Application nor a Filing Receipt dated any date other than May 17, 2002. Applicants have inspected the USPTO's file which too does not contain a Notice To File Missing Parts Of Nonprovisional Application nor a Filing Receipt dated any date other than May 17, 2002.

Applicants respectfully submit that the Notice To File Missing Parts Of Nonprovisional Application and Filing Receipt dated May 17, 2002, is the only Notice To File Missing Parts Of Nonprovisional Application and Filing Receipt sent by the USPTO to Applicants. Accordingly, Applicants request that this Response be accepted as timely filed and examination of this application be continued. If this application is abandoned then Applicants request that the holding of abandonment be withdrawn and examination of the application be continued.

The Commissioner is hereby authorized to charge the surcharge of \$130.00 to Deposit Account Number 01-2384. If any additional extension or other fee is required, please charge Account No. 01-2384. A duplicate of this Response is enclosed for that purpose.

Respectfully Submitted,



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Thomas M. Fisher, Reg. No. 47,564  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102  
(314) 621-5070



## STATUS LETTER REPLY

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Washington, D.C. 20231

Serial Number: 09/475630

Group Art Unit: 2161

Filing Date: 12/30/1999

Attorney Reference: 9D-EC-19310-

REQUESTER: Thomas Fischer

☒ Attorney of Record

- ☐ Not of Record. Therefore, the following status information is being released to the following ATTORNEY OF RECORD: \_\_\_\_\_
- ☐ Not of Record. Unfortunately, the status information can not be released because the requestor is not of record. If the requestor should be of record, please forward additional changes to the Power of Attorney to the Customer Service Office.


### STATUS INFORMATION

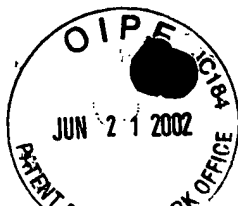
☒ Action by the examiner

Expected date for action on this application

Month: \_\_\_\_\_ Year: \_\_\_\_\_ At this time, the average period between the filing date and issue of a first action on the merits for this art unit is: \_\_\_\_\_

☒ Other (explain) Case Abandoned for Incomplete  
Application 04/10/2000. Incomplete Application  
Status mailed 02/08/2000

  
Customer Service Office  
Technology Center 2100  
(703) 306-5631 (voice)  
(703) 746-7240 (fax)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/475,630	12/30/1999	RANDALL JOSEPH SANDELL	9D-EC-19310-

CONFIRMATION NO. 6597

ABANDONMENT/TERMINATION  
LETTER

\*OC000000005797073\*

GEORGE L RIDEOUT JR  
GENERAL ELECTRIC COMPANY  
APPLIANCE PARK 2-225  
LOUISVILLE, KY 40225

Date Mailed: 02/26/2001

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

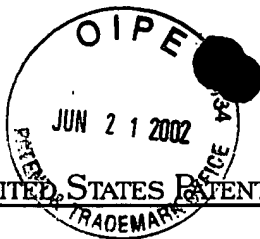
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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/475,630	12/30/1999	RANDALL JOSEPH SANDELL	9D-EC-19310-

CONFIRMATION NO. 6597

FORMALITIES LETTER



\*OC00000008147610\*

John S. Beulick  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102

Date Mailed: 05/17/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/27/2002 BABRAHA1 00000008 012384 09475630

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**LICENSE FOR FOREIGN FILING UNDER**  
**Titl 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



THE UNITED STATES PATENT OFFICE IS REQUESTED TO IMPRESS ITS STAMP ON  
THIS CARD AND PLACE SAME IN THE OUTGOING MAIL TO SHOW THE FOLLOWING  
PAPERS HAVE BEEN RECEIVED.

Atty Dkt. No.: 9D-EC-19310

Applicant: Sandell et al.

Serial No.: 09/475,630

Filed: December 30, 1999

For: INTERNET BASED GOODS DELIVERY SYSTEM

Enclosed:

Associate Power of Attorney and Change of Correspondence Address (1 pg.)

Change of Correspondence Address Form (1 pg.)

TMF/meg